

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Public Servants - PR&RD Department - Sri T. Nagabhushanachary, former E.O.(Pts.,) (now Retd.,) Mudinepalli Gram Panchayats in Krishna District - pensionary benefits released - Orders - Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.IV) DEPARTMENT

G.O.Rt.No.1414,

Dated: 05.09.2013.
Read the followings:

1. G.O.Rt.No.403, PR&RD (VS.II) Department, dated: 17.03.2003.
2. Orders of the APAT., in O.A.NO.4950/2003 filed by Sri T. Nagabhushanachary, former E.O.(Pts.,) (Retd.).
3. G.O.Rt.No.779, PR&RD (Vig.IV) Department, dated: 06.06.2006.
4. G.O.Rt.No.780, PR&RD (Vig.IV) Department, dated: 06.06.2006.
5. G.O.Rt.No.781, PR&RD (Vig.IV) Department, dated: 06.06.2006.
6. O.A.No.7295/2007 filed by Sri T. Nagabhushanachary, former E.O.(Pts.,) (Retd.,).
7. Orders dated: 20.09.2010 of the APAT., in O.A.NO.7295/2007.
8. G.O.Rt.No.1532, PR&RD (Vig.IV) Department, dated: 12.10.2010.
9. From the CPR&RE., Lr.No.12237/CPR&RE/K1/2010, dated:19.04.2011.
10. Govt., Memo.No.4730/Vig.IV/A2/2004,-6, dated:23.04.2011.
11. O.A.No.2971/2011 filed by Sri T. Nagabhushanachary, former E.O.(Pts.,) (Retd.,).
12. C.A.No.355/2011 in O.A.No.7295/2007 filed by Sri. T. Nagabhushanachary, former E.O.(Pts.,) (Retd.,).
13. From the G.P., (PR) Lr.No.C.A.No.355/2011,in O.A.No. 7295/ 2007 / MKR /PR/., dated:26.08.2013.

ORDER:

In the reference 1st read above, orders were issued imposing a penalty of 100% cut in pension permanently duly withholding DCRG., besides recovery of misappropriate amount of Rs 56,871/- against Sri T.Nagabhushanachary, Extension Officer (Retired) (Panchayat), Mudinepally, Krishna District due to irregularities committed by him in the administration of Munugunuru, Singanapudi and Chinnalaparru Gram Panchayats.

2. Aggrieved by the above, Sri T.Nagabhushanachary, former Extension Officer (Panchayat), Mudinepally, Krishna District, has filed an O.A.NO.4950/2003 before the Hon'ble Andhra Pradesh Administrative Tribunal, vide reference 2nd read above challenging the aforesaid GO first read above.

3. In the reference 3rd read above, orders have been issued appointing the Dr.A.Madhusudhan Reddy, IAS(Retired), as Inquiry Authority to conduct inquiry against T.Nagabhushanachary, Extension Officer (Retired) (Panchayat), Mudinepally, Krishna District and the District Panchayat Officer, Krishna District as presenting Officer vide reference 4th read above.

4. In the reference 5th read above, Government have issued orders to accord sanction for payment of provisional pension @ 75% of eligible normal pension to the Sri T.Nagabhushanachary, former Extension Officer (Panchayat), Mudinepally, Krishna District.

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5. In the reference 6th read above, Sri T.Nagabhushanachary, former Extension Officer (Panchayat), Mudinepally, Krishna District has filed another O.A.No.7295/2007 challenging the appointment of enquiry officer, to conduct an enquiry into the charges framed against him in the reference 3rd read above.

6. In the reference 7th read above, the Hon'ble Andhra Pradesh Administrative Tribunal, has directed the respondents to conclude the enquiry within a period of four months from the date of receipt of a copy of this order, failing which, it shall be deemed that the enquiry proceedings have been dropped and the pensinary benefits due to the applicant shall be released. In pursuance of the orders of the Andhra Pradesh Administrative Tribunal. Government have appointed Sri C.Sankar Reddy, Additional Commissioner, O/o the Commissioner, Panchayat Raj & Rural Employment, as inquiry officer to inquire into the charges framed against the Charged Officer in the reference 8th read above.

7. In the reference 9th read above, the Inquiry Authority has submitted inquiry report stating that, Out of 12 charges, (9) charges are held proved and for (3) charges records were not available in respect of the charged officer and the same was communicated to charged officer vide reference 10th read above. The Inquiry Authority also reported that amongst others the charged officer also did not attend the inquiry at times resulting in the delay in submitting the inquiry report.

8. Aggrieved by the above, Sri T.Nagabhushanachary, former Extension Officer (Panchayat), Mudinepally, Krishna District has filed another O.A.NO.2971/2011 before the Hon'ble Andhra Pradesh Administrative Tribunal, with a prayer to set-aside Govt.Memo.No.4730/Vig.IV/A2/2004-6, dt: 23.04.2011 wherein the inquiry report was communicated to the applicant vide reference 10th read above. Government have filed counter affidavit in the case rebutting the pleadings of the applicant. The case is still pending in Hon'ble APAT and the charged officer did not submit his explanation on the Inquiry Report communicated to him. Thus, Government could not finalize the case as yet. While matter stood so, the charged officer has filed now C.A.No.355/2011 in O.A.No.7295/2007 before the Hon'ble Andhra Pradesh Administrative Tribunal.

9. In the reference 13th read above, the Government Pleader for (PR) ,APAT has informed that, the C.A. is listed on 10.09.2013 for reporting compliance and requested to implement the orders of the APAT in O.A.7295/2007 filed by Sri T.Nagabhushanachary, former Extension Officer (Panchayat), Mudinepally, Krishna District (Retired).

10 Government after taking into consideration of the case and orders of the Andhra Pradesh Administrative Tribunal, have decided to implement the orders of the Hon'ble APAT dated:20.09.2010 in O.A.No.7295/2007 pending further orders in O.A. No.2971/2011.

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11. Accordingly, Government hereby decided to release pensionary benefits in respect of Sri T.Nagabhushanachary, former Extension Officer (Panchayat), Mudinepally, Krishna District (Retired) subject to the final orders in the disciplinary proceedings and also the outcome of the O.A.No.2971/2011 filed by him.

12. The Commissioner, Panchayat Raj & Rural Employment, Hyderabad / District Panchayat Officer, West Godavari District shall take further necessary action in the matter accordingly.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH]

V.NAGI REDDY,
PRINCIPAL SECRETARY TO GOVERNMENT.

To

The Commissioner, Panchayat Raj & Rural Employment, Hyderabad.

The Individual through the Commissioner, PR&RE., Hyderabad.

The Government Pleader for Panchayat Raj, APAT.

The Chief Executive Officer, ZPP, West Godavari District.

The District Panchayat Officer, West Godavari District.

Copy to :

The Deputy Register, APAT, Hyderabad

The P.S. Principal. Secretary (PR).

The P.S. to the Hon'ble M(PR&RWS).

SF/SC.

// FORWARDED BY :: ORDER //

SECTION OFFICER.